

§ 163-213.4. Nomination by State Board of Elections.

(a) No later than 90 days preceding the North Carolina presidential preference primary, the chair of each political party shall submit to the State Board a list of its presidential candidates to be placed on the presidential preference primary ballot. The list must be comprised of candidates whose candidacy is generally advocated and recognized in the news media throughout the United States or in North Carolina, unless any such candidate executes and files with the chair of the political party an affidavit stating without qualification that the candidate is not and does not intend to become a candidate for nomination in the North Carolina Presidential Preference Primary Election. The State Board shall prepare and publish a list of the names of the presidential candidates submitted.

(b) The State Board shall convene in Raleigh on the first Tuesday in January preceding the presidential preference primary election, unless the first Tuesday in January is the first day of that month, in which case the State Board shall meet on January 2. At the meeting required by this section, the State Board shall nominate as presidential primary candidates all candidates affiliated with a political party, recognized pursuant to the provisions of Article 9 of this Chapter, who have been submitted to the State Board. Additionally, the State Board, by vote of at least five of its members in the affirmative, may nominate as a presidential primary candidate any other person affiliated with a political party that it finds is generally advocated and recognized in the news media throughout the United States or in North Carolina as candidates for the nomination by that party.

(c) Immediately upon adjourning the meeting as required by subsection (b) of this section, the State Board shall release to the news media all such nominees selected. Provided, however, nothing shall prohibit the partial selection of nominees prior to the meeting required by subsection (b) of this section, provided the State Board has complied with the requirements of this section. (1971, c. 225; 1975, c. 744; 1983, c. 729; 1987, c. 81, s. 1; c. 549, s. 6.1; 1991, c. 689, s. 15(c); 2003-278, s. 9(a); 2007-391, s. 33; 2008-187, s. 33(a); 2013-381, ss. 35.2, 36.1; 2017-6, s. 3; 2018-146, s. 3.1(a), (b); 2023-139, s. 5.5.)